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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Richard A. SHUMACHER et al.

Group Art Unit: 1626

Serial No.: 10/622,833

Examiner: Rebecca. L. Anderson

Filed: July 21, 2003

For: PHOSPHODIESTERASE 4 INHIBITORS, INCLUDING N-SUBSTITUTED ANILINE AND DIPHENYLAMINE ANALOGS

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MAIL STOP - AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action of December 20, 2005, and the Notice of Non-Compliant Amendment of April 27, 2006 entry of the following amendments is respectfully requested.

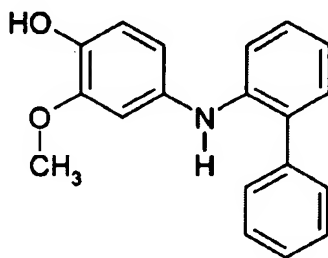
Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 156 of this paper.

Rejection under 35 USC 102(b) in view of Kondo et al. (US 4,542,373)

Claims 1, 3, 4, and 6 are rejected as allegedly being anticipated in view of the article by Kondo et al. (US 4,542,373). This rejection is respectfully traversed.


In the rejection, reference is made to the 4-(o-biphenyl)aminophenol compound of Example 80, wherein, as shown in Table 6, X is methoxy, Y is H, and R₅ is H. This compound has the following formula:



This compound does not anticipate applicants claim 3, 4, or 6. Compare the proviso clause in applicants' claims 3, 4, and 6. The rejection of claim 1 is rendered moot by the cancellation of the claim. In view of the above remarks, withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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